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March 4, 2013

**VIA E-FILE**

Jocelyn Boyd, Esquire  
Chief Clerk and Administrator  
South Carolina Public Service Commission  
101 Executive Center Drive  
Columbia, SC 29210

RE: Application of ANPI Business, LLC for a Certificate of Public Convenience and Necessity to Provide Basic Resold Local Telecommunications Services for Local Service Offerings to be Regulated in Accordance with Procedures Authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C in the State of South Carolina  
Docket No. 2013-36-C

Dear Ms. Boyd:

Enclosed please find for filing the Pre-Filed Direct Testimony of Joseph O'Hara in the above-referenced docket.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Sincerely,

Elliott & Elliott, P.A.



Scott Elliott

SE/mjl

Enclosures

cc: Judith A. Riley (via email w/out enc.)  
Matt W. Dean (via email w/out enc.)

## CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail and electronically, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Application of ANPI Business, LLC for a Certificate of Public Convenience and Necessity to Provide Basic Resold Local Telecommunications Services for Local Service Offerings to be Regulated in Accordance with Procedures Authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C in the State of South Carolina

DOCKET NO.: 2013-36-C

PARTIES SERVED: C. Lessie Hammonds, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

Margaret M. Fox, Esquire  
McNair Law Firm, P.A.  
Post Office Box 11390  
Columbia, SC 29211

PLEADING: Pre-Filed Direct Testimony of Joseph O'Hara

March 4, 2013

  
MaryJo Lawracy, Legal Assistant

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF SOUTH CAROLINA  
DOCKET NO. 2013-36-C

Application of <b>ANPI Business, LLC</b> for a	)	
Certificate of Public Convenience and	)	
Necessity for Authority to Provide Resold	)	
Local Telecommunications Services for local	)	DIRECT TESTIMONY
service offerings to be regulated in accordance	)	OF JOSEPH O'HARA
with procedures Authorized for NewSouth	)	
Communications in Order No. 98-165 in Docket	)	
No. 97-467-C; in the State of South Carolina	)	

**DIRECT TESTIMONY OF JOSEPH O'HARA**

I. Introduction

1   **Q.     PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2   A.     My name is Joseph O'Hara. My business address is 7460 Warren Parkway, Suite 218, Frisco,  
3         Texas 75034.

4   **Q.     BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5   A.     I am the Chief Financial Officer of ANPI Business, LLC ("ANPI" or "ANPI Business").

6   **Q.     PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND EXPERIENCE IN BUSINESS**  
7         **AND TELECOMMUNICATIONS.**

8   A.     Please refer to Exhibit D to our Application.

9   **Q.     WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

10  A.     The purpose of my testimony is to describe the nature of ANPI's proposed service offering  
11         within the State of South Carolina, and to demonstrate its financial, managerial, and technical  
12         ability to provide the telecommunications services for which authority is sought herein.

13

1 **Q. DO YOU WISH TO INCORPORATE BY REFERENCE ANY DOCUMENTS INTO YOUR TESTIMONY?**

2 A. Yes. I wish to incorporate by reference the underlying Application filed in this proceeding and  
3 its associated attachments.

4 The Business of ANPI Business, LLC

5 **Q. HAS ANPI BUSINESS, LLC REGISTERED TO DO BUSINESS IN SOUTH CAROLINA?**

6 A. Yes. ANPI Business, LLC is a Delaware Limited Liability Company that has received authorization  
7 to transact business within the State of South Carolina. A copy of ANPI Business, LLC's  
8 Delaware-issued Certificate of Good Standing and our Certificate of Authority from the State of  
9 South Carolina is attached to our application as Exhibit A.

10 ANPI Business, LLC is also authorized in South Carolina to provide resold intrastate  
11 Interexchange and private line telecommunications services with alternative regulation of its  
12 Interexchange service offerings in Docket Number 2000-443-C and Order number 2001-405.

13 **Q. PLEASE DESCRIBE THE SERVICES ANPI BUSINESS, LLC INTENDS TO PROVIDE WITHIN THE STATE**  
14 **OF SOUTH CAROLINA.**

15 A. ANPI Business seeks to offer business subscribers with iPBX telephone systems using VoIP  
16 technology using multiple interfaces that include Cable Modem, DSL, Ethernet, MPLS, and  
17 others. Private Internet connections will also be made available. In some cases, ANPI Business  
18 will resell the local access circuit for a complete bundling of offerings. Applicant's traditional  
19 voice services such as local dial tone, access to 911, e-911, directory assistance, and operator  
20 services will be available only by way of VoIP delivery. ANPI Business does not propose to offer  
21 any residential services. The handoff at the customer's premises can be SIP, digital, or analog  
22 enabling the customer to retain their existing investments and a cost effective migration from  
23 TDM to SIP or a hosted PBX solution.

1 **Q. WHAT CARRIER WILL ANPI BUSINESS, LLC UTILIZE AS ITS UNDERLYING CARRIER FOR SERVICES**  
2 **IN SOUTH CAROLINA?**

3 A. ANPI Business, LLC intends to utilize both AT&T and Verizon. ANPI Business will choose its  
4 underlying carrier based upon the quality of service of the carrier properly certified by the  
5 Commission to provide such service.

6 **Q. DOES ANPI BUSINESS, LLC HAVE AUTHORIZATION TO PROVIDE INTRASTATE**  
7 **TELECOMMUNICATIONS SERVICE IN ANY OTHER STATE?**

8 A. Yes, ANPI Business is currently authorized to do business in the following states: Alabama,  
9 Arkansas, Arizona, California, Colorado, Connecticut, District of Columbia, Delaware, Florida,  
10 Hawaii, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Maryland, Maine,  
11 Michigan, Minnesota, Missouri, Mississippi, Montana, North Carolina, North Dakota, Nebraska,  
12 New Hampshire, New Jersey, New Mexico, Nevada, New York, Ohio, Oklahoma, Oregon,  
13 Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia,  
14 Vermont, Washington, Wisconsin, West Virginia, and Wyoming.

15 **Q. HAS ANPI BUSINESS, LLC EVER HAD AN APPLICATION FOR A CERTIFICATE OF PUBLIC**  
16 **CONVENIENCE AND NECESSITY DENIED?**

17 A. No.

18 **Q. DOES ANPI BUSINESS, LLC INTEND TO FILE A TARIFF WITH THE COMMISSION?**

19 A. Yes. ANPI Business filed a tariff along with its Application in this proceeding which it will modify  
20 as necessary in order to meet the Commission's requirements. We believe that ANPI Business,  
21 LLC's tariff complies with all Orders, Rules, and Regulations of the Commission. ANPI's proposed  
22 tariff is attached to our application as Exhibit E.

1 **Q. WILL ANPI BUSINESS, LLC COMPLY WITH THE COMMISSION'S ORDERS REGARDING THE**  
2 **PROVISION OF LOCAL SERVICE?**

3 A. Yes, ANPI Business will at all times provide and market local exchange carrier services in  
4 accordance with current Commission policies. In addition, ANPI Business will at all times  
5 provide interstate services in compliance with all FCC rules and regulations.

6 **Q. HAS ANPI BUSINESS, LLC PROVIDED ANY INTRASTATE TELECOMMUNICATIONS SERVICES**  
7 **WITHIN THE STATE OF SOUTH CAROLINA?**

8 A. Yes, pursuant to Docket number 2000-443-C and Order number 2001-405 referenced above.

9 **Q. WHAT RATES WILL ANPI BUSINESS, LLC CHARGE UPON RECEIPT OF CERTIFICATION?**

10 A. ANPI Business, LLC will charge the tariffed rates approved by the Commission.

11 **Q. HOW WILL ANPI BUSINESS, LLC MARKET SERVICES IN SOUTH CAROLINA?**

12 A. ANPI Business, LLC intends to market its services via direct sales by ANPI's employees.

13  
14 III. Managerial, Technical, and Financial Qualifications

15 **Q. DOES ANPI BUSINESS, LLC HAVE SUFFICIENT MANAGERIAL, TECHNICAL AND FINANCIAL**  
16 **RESOURCES AND ABILITY TO PROVIDE THE TELECOMMUNICATIONS SERVICES PROPOSED IN**  
17 **ITS APPLICATION?**

18 A. Yes, ANPI Business has sufficient managerial, technical, and financial resources and ability to  
19 provide the telecommunications services for which authority is sought herein. ANPI Business's  
20 personnel represent a broad spectrum of business and technical disciplines, possessing many  
21 years of individual and aggregate telecommunications experience.

1 The qualifications and experience of ANPI's key management personnel are discussed in Exhibit  
2 D, which is attached to our application in support of our managerial and technical ability to  
3 provide the services for which authority is sought, herein.

4 **Q. HOW DOES ANPI BUSINESS, LLC HANDLE CUSTOMER SERVICE REQUESTS?**

5 A. ANPI Business's customer service representatives are available to assist its customers and will  
6 promptly respond to all customer inquiries. Customers may call 1-877-366-2674 and/or by  
7 email and our NOC is available 24 hours a day, 7 days a week.

8 **Q. PLEASE DESCRIBE THE FINANCIAL CONDITION OF ANPI BUSINESS, LLC**

9 A. In support of ANPI Business, LLC's financial ability to provide services sought herein, ANPI  
10 Business, LLC's 2010 and 2011 Income Statement, 2010 and 2011 Balance Sheet, and 2010 and  
11 2011 Statement of Cash Flows have been submitted as Exhibit C of our application.

12  
13 **IV. PUBLIC INTEREST**

14 **Q. HOW WILL RESIDENTS OF SOUTH CAROLINA BENEFIT FROM ANPI BUSINESS, LLC'S SERVICES**  
15 **AND PRESENCE IN SOUTH CAROLINA?**

16 A. The Commission's grant of this certificate is in the public interest because the business  
17 subscribers of ANPI LLC will receive increased choice, improved quality of service, and  
18 heightened opportunities to obtain improved technology in business. Market incentives for new  
19 and old telecommunications providers in South Carolina will be improved greatly through an  
20 increase in the diversity of suppliers and competition in the local exchange telecommunications  
21 market. Consistent with the Commission's intent to aid in the development of a competitive  
22 telecommunications environment in South Carolina, the granting of a certificate of authority to  
23 ANPI Business, LLC to provide local exchange service will offer increased efficiency to the State's

1 telecommunications infrastructure through greater reliability of services and in increase in  
2 competitive choices.

3 **Q. HAS THE COMPANY EVER BEEN THE SUBJECT OF AN INVESTIGATION BY ANY STATE**  
4 **REGULATORY BODY OR BY THE FCC?**

5 **A. No.**

6 **Q. WILL THE COMPANY AGREE TO ABIDE BY AND COMPLY WITH THE COMMISSION'S RULES AND**  
7 **REGULATIONS AND COMMISSION ORDERS IN ITS OPERATIONS IN SOUTH CAROLINA?**

8 **A. Yes.**



1

2    **Q.     DOES THIS CONCLUDE YOUR TESTIMONY?**

3    A.     Yes. I would like to thank the Commission for this opportunity to provide information relevant  
4           to ANPI Business, LLC's application and am ready to provide any additional information that the  
5           Commission may need in making its decision.

6